

ORIGINAL

ADR United States District Court
NORTHERN DISTRICT OF CALIFORNIA

2007 NOV -2 P 4:43

E-FILING

SUN MICROSYSTEMS, INC., a Delaware corporation,

SUMMONS IN A CIVIL CASE

CASE NUMBER

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
N.D. OF CALIF.

V.

C07 05448

JW

RS

NETWORK APPLIANCE, INC., a Delaware corporation.

TO: (Name and address of defendant)

Network Appliance, Inc.
By and through CT Corporation System
818 West Seventh Street
Los Angeles, CA 90017

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Mark D. Fowler, Esq.
DLA Piper US LLP
2000 University Avenue
East Palo Alto, CA 94303-2248

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.


Richard W. Wieking
CLERK

DATE OCT 29 2007

Tiffany Salinas-Harwell
(BY) DEPUTY CLERK

Tiffany Salinas-Harwell

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ¹		DATE October 30, 2007 at 11:50am
Name of SERVER Kirk P. Jackson		TITLE Registered California Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <input checked="" type="checkbox"/> </div> <div> <p>Served Personally upon the Defendant. Place where served:</p> <p style="text-align: center;">Margaret Wilson, Agent for Service of Process 818 W. 7th Street, 2nd Floor Los Angeles, CA 90017</p> </div> </div> <div style="margin-top: 10px;"> <input type="checkbox"/> <p>Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:</p> </div> <div style="margin-top: 10px;"> <input type="checkbox"/> <p>Returned unexecuted:</p> </div> <div style="margin-top: 10px;"> <input type="checkbox"/> <p>Other (specify):</p> </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>11-1-07</u> <div style="text-align: center; font-size: small;">Date</div>	<div style="text-align: center;">  <div style="text-align: center; font-size: small;">Signature of Server</div> </div> <div style="text-align: center; margin-top: 10px;"> <u>P.O. Box 27975, L.A., CA 90027</u> <div style="text-align: center; font-size: small;">Address of Server</div> </div>	
<p>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</p>		

Documents to be Served

Work Order

Assigned To: KIRK P. JACKSON

DLAPIPA.30987

Serve Docs To: NETWORK APPLIANCE, INC., a Delaware corporation(5980)

SUMMONS IN A CIVIL CASE; COMPLAINT; CIVIL COVER SHEET; ORDER SETTING
INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; WELCOME TO THE
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA,
CLERK'S OFFICE, SAN JOSE DIVISION; ORDER OF THE CHIEF JUDGE; PLAINTIFF'S
SUN MICROSYSTEMS, INC.'S DECLINATION TO PROCEED BEFORE A MAGISTRATE
JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT